

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

LEGAL SEA FOODS, INC.,
Plaintiff,

v.

METROPOLITAN WASHINGTON
AIRPORTS AUTHORITY,
Defendant.

Civil Action No. 1:09cv711

AJT/JFA

**PLAINTIFF LEGAL SEA FOODS, INC.'S
CONSENT MOTION FOR LEAVE TO FILE UNDER SEAL**

Pursuant to Local Civil Rule 5 and the Protective Order entered on July 30, 2009 by Magistrate Judge Anderson, Plaintiff Legal Sea Foods, Inc. (“LSF”) respectfully requests leave be granted by this Court to file its Reply In Support of Motion for Preliminary Injunction under seal. In filing its Reply, LSF will be referring to information and attaching exhibits that have been designated as highly confidential or confidential, sensitive, and proprietary business information by both parties and non-parties to this litigation.¹

Since this is a dispute about award of a contract to a party other than LSF, LSF will be referring to and filing documents containing, *inter alia*, competitive-sensitive information of non-parties that competed for the contract at issue. Public disclosure of such confidential information would harm certain parties and non-parties, and should therefore be filed under seal.

See U.S. Steel Corp. v. United States, 730 F.2d 1465 (Fed. Cir. 1984). LSF expects that the documents and information at issue will remain under seal for the balance of the litigation.

The parties conferred and both consent to the filing of this motion, as well as the

¹ LSF reserves the right to challenge any confidentiality designations made by Metropolitan Washington Airports Authority or Westfield, LLC – the other entities subject to the Protective Order entered in this action.

accompanying Notice of Hearing.

WHEREFORE, LSF respectfully requests that this Court grant it leave to file its Reply under seal.

Dated: August 5, 2009

Respectfully Submitted,

/s/ Camilla Lee

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of August, 2009, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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